

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.3 ACRES, BEING OUT OF THE VILLA RIO SUBDIVISION, BLOCK 1, LOT 1, CURRENTLY ADDRESSED AT 475 & 479 BARCELONA DR, FROM C-3 (COMMERCIAL DISTRICT) TO C-3 SUP (COMMERCIAL DISTRICT WITH A SPECIAL USE PERMIT FOR SHORT TERM RENTAL OF A RESIDENCE); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for short term rental use; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

WHEREAS, the City Council desires to grant a Special Use Permit at 475 & 479 Barcelona Dr, to allow short term rental of a residence in the C-3 (Commercial District); **now, therefore**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following tract of land as a "Special Use Permit" for the uses and conditions herein described:

Being out of the Villa Rio Subdivision, Block 1, Lot 1, being as depicted on Exhibit "A" attached.

SECTION 2

THAT the Special Use Permit be subject to the following additional restrictions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan Exhibit “B” and floor plan Exhibit “C”. Any significant changes to the site plan or floor plan will require a revision to the SUP.
3. The primary residence and accessory dwelling unit will be permitted as two separate short-term rentals.
4. A paved driveway with two paved parking spaces must be available for use prior to the issuance of a Short-Term Rental Permit for the accessory dwelling unit.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 5

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 25th day of November, 2024.

PASSED AND APPROVED: Second reading this 9th day of December, 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

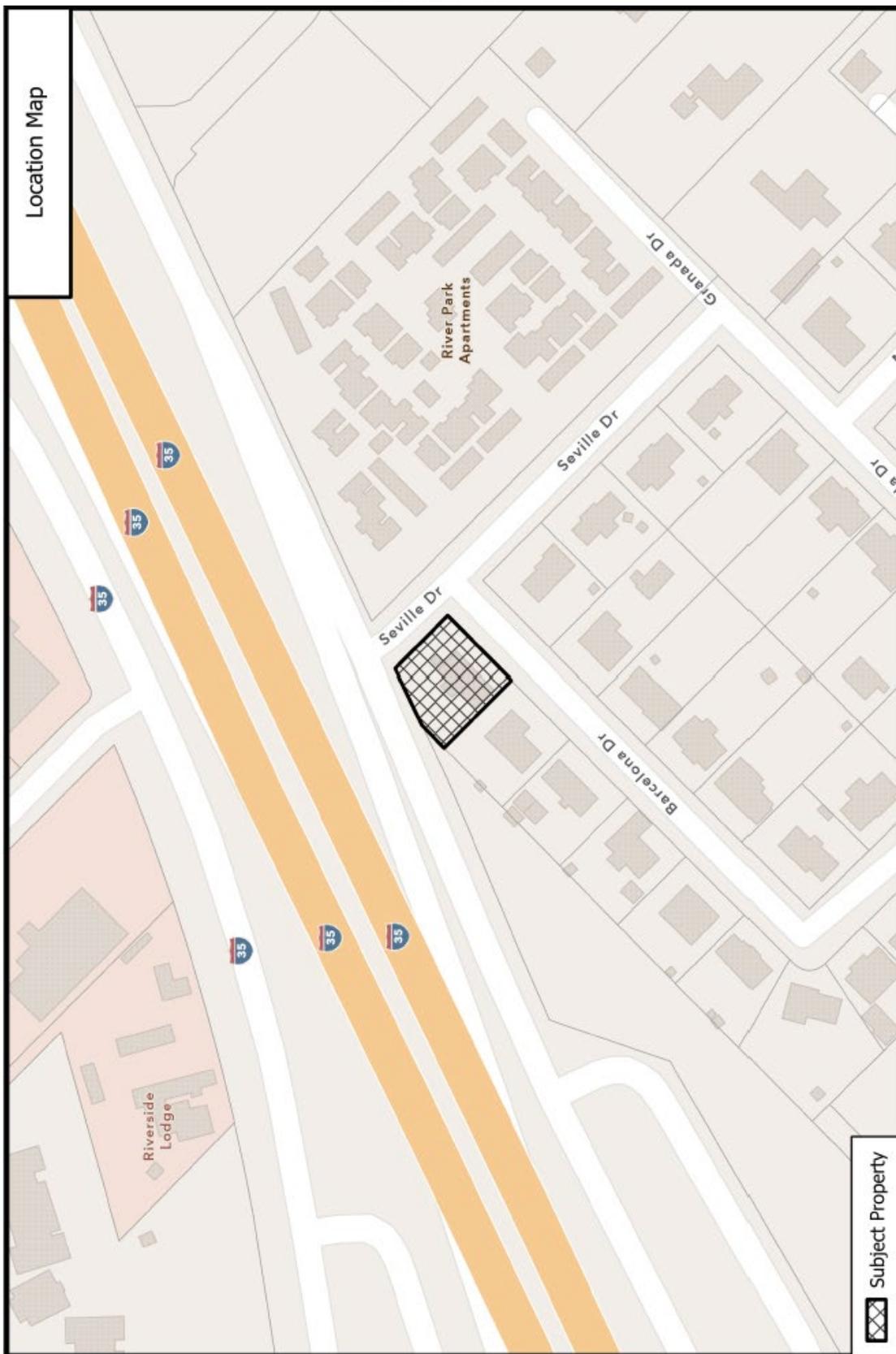
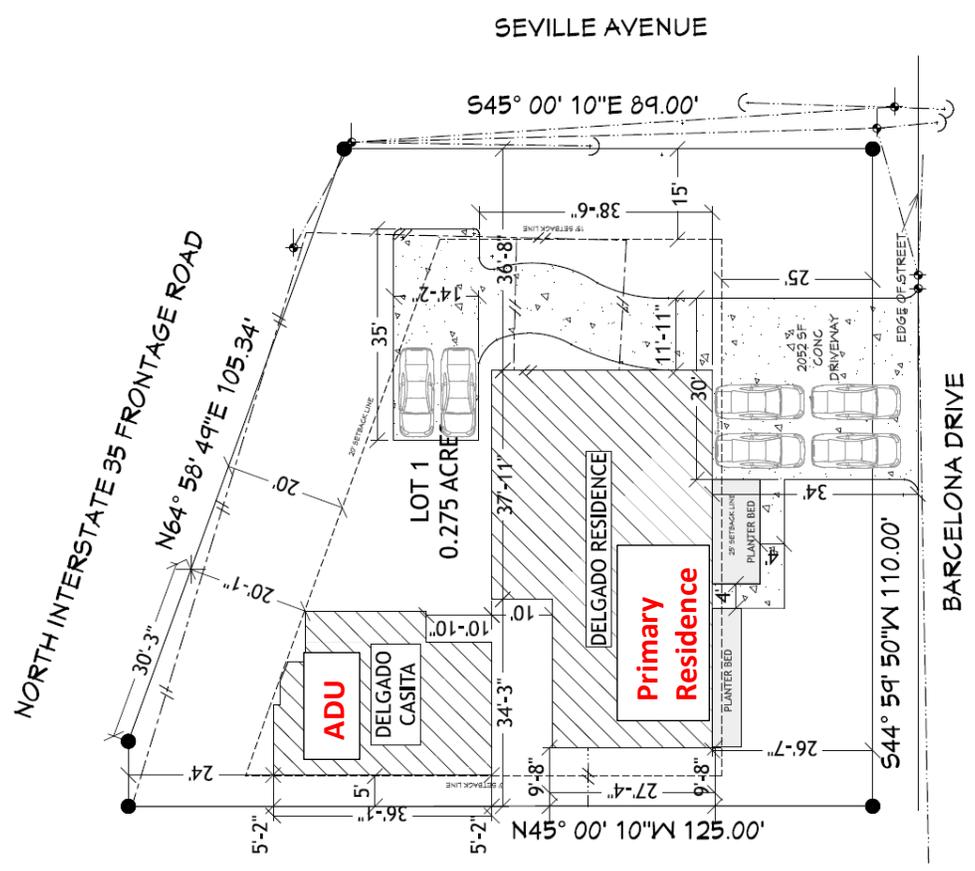


EXHIBIT "B"

FINAL	PROJECT ADDRESS 475 BARCELONA DR NEW BRAUNFELS, TX 78130	DELGADO RESIDENCE	 7555 FM 1000 STE 111 NEW BRAUNFELS, TX 78130 (817) 791-1111 WWW.DELGADOARCHITECTS.COM	NUMBER ADU BD (MULTI-FAMILY DWELLING)	DATE: 11/27/2023	SCALE: 1/4" = 1'	SHEET: 2 OF 17
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THESE PLANS AND SPECIFICATIONS ARE PREPARED BY THE ARCHITECT OR ENGINEER AND SHALL BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY OTHER USE OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OR ENGINEER IS PROHIBITED. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS OR FOR ANY CONSEQUENCES ARISING THEREFROM. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY CONFLICTS BETWEEN THESE PLANS AND ANY OTHER PLANS OR REGULATIONS. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY DELAYS OR DAMAGES CAUSED BY ANY OTHER PARTY. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY COSTS INCURRED BY ANY OTHER PARTY. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY INDEMNIFICATION OR DEFENSE COSTS INCURRED BY ANY OTHER PARTY. THE ARCHITECT OR ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY OTHER MATTERS NOT EXPRESSLY STATED HEREON.



SITE PLAN
SCALE: 1/8" = 1'

I, David Delgado, the property owner, acknowledge that this site plan submitted for the purposes of rezoning this property is in accordance with all applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council approval of this site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes/Ordinances at the time of plan submittal for building permits. Nor does it relieve me from adherence to any/all state or federal rules and regulations.

EXHIBIT "C"

